

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EFRAT INVESTMENTS LLC, individually
and on behalf of all others similarly situated,

Plaintiffs,

-against-

HUB CYBER SECURITY LTD., et al,

Defendants.

23-cv-05764 (AS)

23-cv-06668 (AS)

DUSTIN GREEN, individually and on behalf
of all others similarly situated,

Plaintiffs,

-against-

HUB CYBER SECURITY LTD., et al,

Defendants.

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Plaintiff's counsel in *Green v. Hub Cyber Security LTD et al.*, No. 1:23-cv-06668-AS (S.D.N.Y.) has notified the Court that the notice required under the Private Securities Litigation Reform Act (PSLRA) was published on August 16, 2023. The PSLRA provides that "not later than 60 days after the date on which the notice is published, any member of the purported class may move the court to serve as lead plaintiff of the purported class." 15 U.S.C. § 78u-4(a)(3)(A)(i). In addition, the Act requires that not later than 90 days after the date on which notice is published, the Court shall consider any motion made by a purported class member in response to the notice, and shall appoint as lead plaintiff the member or members of the purported plaintiff class that the Court determines to be most capable of adequately representing the interests of class members. *See id.* § 78u-4(a)(3)(B)(i). In the event that more than one action on behalf of a class asserting substantially the same claim or claims has been filed, and any party


has sought to consolidate those actions for pretrial purposes or for trial, the Court shall not appoint a lead plaintiff until after a decision on the motion to consolidate is rendered. *See id.* § 78u-4(a)(3)(B)(ii).

The Notice required under the PSLRA was filed on August 16, 2023. Members of the purported class therefore have until October 16, 2023, to move the Court to serve as lead plaintiffs. It is further ORDERED that opposition to any motion for appointment of lead plaintiff shall be served and filed by October 26, 2023. Finally, it is hereby ORDERED that a conference shall be held on Wednesday, November 8, 2023, at 9:00 AM in **Courtroom 15A** of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007.

If an amended complaint or a related case is filed prior to appointment of a lead plaintiff, Plaintiff's counsel shall, within one week, submit a letter to the Court identifying any differences between the allegations in the new complaint(s) and the allegations in the original complaint (including but not limited to any differences in the claims asserted and the relevant class periods) and showing cause why the Court should not order republication of notice under the PSLRA and set a new deadline for the filing of motions for appointment. *See, e.g., Hachem v. Gen. Elec. Inc.*, No. 17-CV-8457 (JMF), 2018 WL 1779345 (S.D.N.Y. Apr. 11, 2018).

SO ORDERED.

Dated: August 22, 2023
New York, New York


ARUN SUBRAMANIAN
United States District Judge